

Program A: Administrative

Program Authorization: R.S. 28:64

PROGRAM DESCRIPTION

The mission of the Administrative Program of the Mental Health Advocacy Service (MHAS) is to ensure that the rights of the mentally disabled are protected by: (1) making legal representation available to the respondent in every civil commitment proceeding in Louisiana; (2) providing legal representation during the initial stages of confinement for every indigent person involuntarily admitted for mental health treatment; (3) providing legal representation for every person who has been civilly committed, subsequent to their civil commitment; and (4) providing legal representation to juveniles committed to mental institutions. The program also acts as a clearinghouse for information relative to the rights of mentally disabled persons.

The goals of the Administrative Program of the Mental Health Advocacy Service are:

1. Provide trained legal representation to every adult and juvenile patient in mental health treatment facilities in Louisiana at all stages of the civil commitment process.
2. Ensure that the legal rights of all mentally disabled persons are protected.

In order to provide services on a statewide basis, the Mental Health Advocacy Service (MHAS) is broken down into the administrative headquarters in Baton Rouge and six agency field offices located around the state. The offices litigate more than 140 cases each month. In addition, the MHAS responds to over 6,500 requests for information annually, provides training for over 2,200 persons annually, addresses numerous systems issues (issues that affect the rights of more than one disabled person and require a change in policy or practice to be remedied), and participates in the community by sitting on boards and commissions. The program also acts as a clearinghouse for information relative to the rights of mentally disabled persons.

It is expensive to provide psychiatric hospitalization in state mental hospitals and the cost is paid with state—not federal dollars. Alternatives to full-time hospitalization are sought by MHAS attorneys on behalf of their clients. These alternatives (which might include commitment to a community mental health center as an outpatient or discharge on the condition that the person continue to take medication) represent a cost savings to the state because expensive inpatient hospitalization is avoided. In addition, MHAS attorneys determine whether clients are willing to accept treatment on a voluntary basis, thus avoiding the need of judicial hearings; and MHAS attorneys attempt to resolve as many cases before trial as possible. In this way, both judicial and professional time and expenses are saved.

OBJECTIVES AND PERFORMANCE INDICATORS

Unless otherwise indicated, all objectives are to be accomplished during or by the end of FY 2001-2002. Performance indicators are made up of two parts: name and value. The indicator name describes what is being measured. The indicator value is the numeric value or level achieved within a given measurement period. For budgeting purposes, performance indicator values are shown for the prior fiscal year, the current fiscal year, and alternative funding scenarios (continuation budget level and Executive Budget recommendation level) for the ensuing fiscal year (the fiscal year of the budget document).

1. (KEY) To provide legal representation to every adult and juvenile patient in mental health treatment facilities in Louisiana at all stages of the civil commitment process.

Strategic Link: This operational objective accomplishes Strategic Objective 1: *The Mental Health Advocacy Service (MHAS) shall make available trained legal representation at all stages of every (about 2,000 cases) civil commitment proceeding in Louisiana.*

Louisiana: Vision 2020 Link: Not applicable

Children's Cabinet Link: This operational objective includes persons under age 18 being committed to mental institutions.

Other Link(s): Not applicable

L E V E L	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1999-2000	ACTUAL YEAREND PERFORMANCE FY 1999-2000	ACT 11 PERFORMANCE STANDARD FY 2000-2001	EXISTING PERFORMANCE STANDARD FY 2000-2001	AT CONTINUATION BUDGET LEVEL FY 2001-2002	AT RECOMMENDED BUDGET LEVEL FY 2001-2002
K	Percentage of commitment cases where patient is discharged or diverted to less restrictive setting	46%	57%	50%	50%	53%	53%
K	Percentage of commitment cases resulting in conversion to voluntary status	20%	13%	13%	13%	13%	13%
K	Percentage of commitment cases settled before trial	55%	51%	51%	51%	51%	51%
S	Number of civil commitment hearings	1,060	1,039	1,050	1,050	1,040	1,040
S	Number of open cases ¹	1,075	982	1,075	1,075	990	990
S	Number of juvenile hearings	620	512	475	475	475	475
S	Number of probable cause hearings and habeas corpus proceedings	180	148	175	175	160	160
S	Number of periodic review hearings	275	313	385	385	300	300

¹ Open cases include cases in which the program has continuing duty to provide legal representation. This is a cumulative indicator in that these cases may extend over the course of several fiscal years.

GENERAL PERFORMANCE INFORMATION: LITIGATION CASES

PERFORMANCE INDICATOR	PRIOR YEAR ACTUAL FY 1995-96	PRIOR YEAR ACTUAL FY 1996-97	PRIOR YEAR ACTUAL FY 1997-98	PRIOR YEAR ACTUAL FY 1998-99	PRIOR YEAR ACTUAL FY 1999-00
Total number of litigated cases	1,732	1,899	2,245	2,255	2,145

Explanatory Note: The total litigation workload for the Mental Health Advocacy Service (MHAS) has increase from 1,732 cases in FY 1995-96 to 2,145 cases in FY 1999-00 (almost a 30% increase), due primarily to legislative changes and the fact that more petitions for commitment are being filed, factors over which the MHAS has no control.

2. (KEY) Provide legal representation to all mental patients involved in medication review hearings and all mental patients requesting representation in interdiction proceedings.

Strategic Link: This operational objective accomplishes Strategic Objective II.4: *Provide legal representation to all mental patients involved in medication review hearings and all mental patients requesting representation in interdiction proceedings.*

Louisiana: Vision 2020 Link: Not applicable

Children's Cabinet Link: Not applicable

Other Link(s): Not applicable

L E V E L	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1999-2000	ACTUAL YEAREND PERFORMANCE FY 1999-2000	ACT 11 PERFORMANCE STANDARD FY 2000-2001	EXISTING PERFORMANCE STANDARD FY 2000-2001	AT CONTINUATION BUDGET LEVEL FY 2001-2002	AT RECOMMENDED BUDGET LEVEL FY 2001-2002
K	Number of interdiction cases litigated	20	14	20	20	16	16
K	Number of interdictions in which interdiction is denied or limited interdiction is the result	15	10	13	13	10	10
K	Number of medication review hearings	75	76	60	60	75	75
K	Number of medication review hearings which result in a change in medication	35	30	28	28	30	30

3. (SUPPORTING) To successfully address 23 or more "systems" issues impacting persons with mental disabilities.

Strategic Link: This operational objective accomplishes Strategic Objective II.2: *Successfully address 20 or more "systems" issues impacting persons with mental disabilities.*

Louisiana: Vision 2020 Link: Not applicable

Children's Cabinet Link: This objective includes a few "systems" issues addressed for children in mental institutions.

Other Link(s): Not applicable

Explanatory Note: "Systems" issues involve a change in a law, policy or regulation. Examples include state laws governing seclusion and restraint of mental patients, or a particular hospital's policy on patients' communication rights.

L E V E L	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES						
		YEAREND PERFORMANCE STANDARD FY 1999-2000	ACTUAL	ACT 11	EXISTING	AT	AT	
			YEAREND PERFORMANCE	PERFORMANCE	PERFORMANCE	PERFORMANCE	CONTINUATION	RECOMMENDED
		FY 1999-2000	FY 1999-2000	FY 2000-2001	FY 2000-2001	FY 2001-2002	FY 2001-2002	
S	Number of "systems" issues positively impacted by "systems" changes	25	21	25	25	23	23	
S	Estimated number of mentally disabled persons positively impacted by "systems" changes	1,200	1,025	1,200	1,200	1,100	1,100	

4. (SUPPORTING) To provide training on rights of persons with disabilities to over 1,500 persons.

Strategic Link: This operational objective accomplishes Strategic Objective II.1: *Provide training on rights of persons with disabilities to over 1,5000 persons /year.*

Louisiana: Vision 2020 Link: Not applicable

Children's Cabinet Link: This operational objective includes some training on the rights of patients under age 18.

Other Link(s): Not applicable

L E V E L	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1999-2000	ACTUAL YEAREND PERFORMANCE FY 1999-2000	ACT 11 PERFORMANCE STANDARD FY 2000-2001	EXISTING PERFORMANCE STANDARD FY 2000-2001	AT CONTINUATION BUDGET LEVEL FY 2001-2002	AT RECOMMENDED BUDGET LEVEL FY 2001-2002
S	Number of persons trained on patient rights	1,900	1,389	1,500	1,500	1,500	1,500
S	Number of persons trained per staff attorney	190	139	150	150	150	150

5. (SUPPORTING) To provide over 6,000 information and referral services.

Strategic Link: This operational objective accomplishes Strategic Objective II.3: *Provide information and referral services over 6,000 times/year.*

Louisiana: Vision 2020 Link: Not applicable

Children's Cabinet Link: This operational objective includes information and referral for persons under 18 years of age.

Other Link(s): Not applicable

L E V E L	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1999-2000	ACTUAL YEAREND PERFORMANCE FY 1999-2000	ACT 11 PERFORMANCE STANDARD FY 2000-2001	EXISTING PERFORMANCE STANDARD FY 2000-2001	AT CONTINUATION BUDGET LEVEL FY 2001-2002	AT RECOMMENDED BUDGET LEVEL FY 2001-2002
S	Number of information or referral services provided	Not applicable ¹	5,705	7,000	7,000	6,000	6,000

¹ This was a new performance indicator for FY 2000-2001. It did not appear under Act 10 of 1999 and has no performance standard for FY 1999-2000.

RESOURCE ALLOCATION FOR THE PROGRAM

	ACTUAL 1999 - 2000	ACT 11 2000 - 2001	EXISTING 2000 - 2001	CONTINUATION 2001 - 2002	RECOMMENDED 2001 - 2002	RECOMMENDED OVER/(UNDER) EXISTING
MEANS OF FINANCING:						
STATE GENERAL FUND (Direct)	\$747,028	\$700,931	\$700,931	\$743,376	\$806,265	\$105,334
STATE GENERAL FUND BY:						
Interagency Transfers	0	0	0	0	0	0
Fees & Self-gen. Revenues	0	0	0	0	0	0
Statutory Dedications	0	0	0	0	0	0
Interim Emergency Board	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
TOTAL MEANS OF FINANCING	\$747,028	\$700,931	\$700,931	\$743,376	\$806,265	\$105,334
EXPENDITURES & REQUEST:						
Salaries	\$550,587	\$507,446	\$507,446	\$524,324	\$566,667	\$59,221
Other Compensation	14,593	13,200	13,200	13,200	13,200	0
Related Benefits	98,370	97,436	97,436	100,484	109,567	12,131
Total Operating Expenses	71,866	68,346	68,346	70,284	78,809	10,463
Professional Services	0	2,284	2,284	2,353	2,284	0
Total Other Charges	11,510	12,019	12,019	12,046	15,053	3,034
Total Acq. & Major Repairs	102	200	200	20,685	20,685	20,485
TOTAL EXPENDITURES AND REQUEST	\$747,028	\$700,931	\$700,931	\$743,376	\$806,265	\$105,334
AUTHORIZED FULL-TIME EQUIVALENTS: Classified	14	12	12	12	14	2
Unclassified	1	1	1	1	1	0
TOTAL	15	13	13	13	15	2

SOURCE OF FUNDING

This program is funded with State General Fund.

ANALYSIS OF RECOMMENDATION

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
\$700,931	\$700,931	13	ACT 11 FISCAL YEAR 2000-2001
			BA-7 TRANSACTIONS:
\$0	\$0	0	None
\$700,931	\$700,931	13	EXISTING OPERATING BUDGET – December 15, 2000
\$6,471	\$6,471	0	Annualization of FY 2000-2001 Classified State Employees Merit Increase
\$13,455	\$13,455	0	Classified State Employees Merit Increases for FY 2001-2002
\$194	\$194	0	Risk Management Adjustment
\$20,685	\$20,685	0	Acquisitions & Major Repairs
(\$200)	(\$200)	0	Non-Recurring Acquisitions & Major Repairs
\$3,278	\$3,278	0	Maintenance of State-Owned Buildings
\$27	\$27	0	UPS Fees
(\$271)	(\$271)	0	Civil Service Fees
\$61,695	\$61,695	2	Other Adjustments - Annualize one attorney and one assistant position restored in FY 2000-2001
\$806,265	\$806,265	15	GRAND TOTAL RECOMMENDED

The total means of financing for this program is recommended at 115.0% of the existing operating budget. It represents 94.4% of the total request (\$853,414) for this program. The significant difference between total recommended and existing operating budget is attributable to the annualization of two (2) positions restored in FY 2000-2001.

PROFESSIONAL SERVICES

\$2,284 Legal services for clients

\$2,284 TOTAL PROFESSIONAL SERVICES

OTHER CHARGES

Interagency Transfers:

\$505	Division of Administration - Uniform Payroll System fees
\$12,331	Maintenance of state-owned buildings
\$1,675	Department of Civil Service
\$542	Legislative computer and document services

\$15,053 TOTAL OTHER CHARGES

ACQUISITIONS AND MAJOR REPAIRS

\$20,685	Office computers, copiers, and printers
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\$20,685 TOTAL ACQUISITIONS AND MAJOR REPAIRS